

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

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|---------------------------|-----------------------------------|
| UNITED STATES OF AMERICA, | : Case No. 3:23-mj-00038 |
| | : |
| Plaintiff, | : MOTION OF THE UNITED STATES FOR |
| | : PRETRIAL DETENTION |
| vs. | : |
| | : |
| TRAVELL LYLES, | : |
| | : |
| Defendant. | : |

Pursuant to the Bail Reform Act, *see* 18 U.S.C. § 3142 *et seq.*, the United States moves for the pretrial detention of the defendant because no condition or combination of conditions will reasonably assure his or her appearance and/or the safety of any person or the community.

Specifically:

A. NO REBUTTABLE PRESUMPTION OF DETENTION

In this case, although the Bail Reform Act does not create a rebuttable presumption that the defendant should be detained pending further proceedings, the Court nevertheless must consider whether the statutory factors weigh for or against pretrial release. *See* 18 U.S.C. §§ 3142(g)(1)-(4).

B. HEARING REQUIRED

The Bail Reform Act requires the Court to hold a hearing to determine whether to release or to detain the defendant because the United States requests such a proceeding and the case concerns:

- any felony offense that involves the possession or use of a firearm or destructive device (as those terms are defined in 18 U.S.C. § 921), or any other dangerous

weapon. *See* 18 U.S.C. §§ 3142(f)(1)(E).

- a serious risk that the defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate, a prospective witness or juror. *See* 18 U.S.C. §§ 3142(f)(2)(B).

C. TIMING OF HEARING

The United States requests that the Court set the detention hearing in three (3) business days (i.e., excluding any intermediate Saturday, Sunday, or legal holiday) and order the defendant detained pending that proceeding. *See* 18 U.S.C. § 3142(f).

D. CONCLUSION

Based on the foregoing as well any evidence and argument presented at the detention hearing in this matter, the United States respectfully submits that no condition or combination of conditions will reasonably assure his or her appearance and/or the safety of any person or the community. The defendant therefore should be detained pending further proceedings.

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